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RUEHIL/AMEMBASSY ISLAMABAD 3801
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RUEHKT/AMEMBASSY KATHMANDU 0174
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SUBJECT: GOVERNMENT RELEASES 2007 AND 2006 AMNESTY DETAILS

REF: A. TASHKENT 1822

[1](#)B. TASHKENT 1197

Classified By: POLOFF R. FITZMAURICE FOR REASONS 1.4 (B, D)

[1](#)1. (C) Summary: Independent and state-controlled media reported that President Karimov has approved plans for the implementation of the December 2007 amnesty, according to which approximately 3,500 prisoners who fall within specific categories will be released. On December 27, poloff met with Norbobo Rakhimov, the Deputy Director of the MVD's Directorate of Prisons (GUIN), who confirmed the details of the press reports and also reported the number of prisoners amnestied last year. In addition, Rakhimov provided poloff with additional useful information, including the current number of prisoners in Uzbek jails and about GUIN's efforts to combat the spread of tuberculosis in prisons and to provide human rights trainings to its employees (septel). As the amnesty is carried out over several months, it is too early to tell whether the GOU plans to amnesty any political prisoners, although some of them appear to fall within the categories specified by the amnesty. We will continue to emphasize in our discussions with government officials that the release of a significant number of political prisoners will be taken as a strong signal that the GOU is ready to engage more fully on human rights. End summary.

Independent Website Announces 2007 Amnesty Details

[1](#)2. (U) On December 26, the independent Uzmtronom website reported that President Karimov had approved plans for the implementation of the December 2007 amnesty, which was reportedly drafted jointly by the Supreme Court, the General Prosecutor's Office, the Ministry of Internal Affairs (MVD), and the National Security Service (NSS). According to the article, approximately 3,500 prisoners "who do not pose a threat to society" will be released. The story provides specific breakdowns on the categories and numbers of

prisoners to be released, including: women (18), minors (21), individuals over 60 years old (6), foreigner citizens (130), the handicapped (63), those infected with tuberculosis (378), those who unintentionally committed crimes (167), those who committed lesser crimes (354), and those whose remaining prison terms do not exceed two years (2,194). Interestingly, Uzmtronom reported that the amnesty includes an unspecified number of persons sentenced for participation in "banned organizations," who have "firmly chosen the path to correction." On November 27, the state-controlled Narodnoye Slovo newspaper also reported that 3,500 prisoners would be released under the amnesty, and noted that the first group of women affected had already been released, although it did not provide further details.

13. (C) Comment: The Uzmtronom report does not specifically mention any individuals to be released, but several political prisoners would fall under the categories listed, including female human rights activist Mutabar Tojiboyeva (ref A) and Jehovah's Witness Irfan Hamidov, a Tajik citizen (ref B). However, not all individuals who fall under specified categories have been released in previous years, as prison directors have wide discretion over who can actually be amnestied. For example, political prisoners have been denied amnesty in previous years for alleged infractions of internal prison regulations. End comment.

PRISON ADMINISTRATION OFFICIAL CONFIRMS AMNESTY DETAILS

14. (C) On December 27, poloff met with Colonel Norbobo Rakhimov, the Deputy Director of the MVD's Directorate of Prisons (GUIN). Rakhimov was familiar with the Uzmtronom article and confirmed that its details were "100 percent" accurate. He said that GUIN organized a press conference for journalists on December 26 in which the details of the 2007 amnesty were explained. Rakhimov also emphasized that GUIN has not specifically identified any inmates to be released and that the figure 3,500 was simply GUIN's estimate of the total number of prisoners in Uzbekistan who would fall into each of the categories specified in the article. He noted that the amnesty is usually carried out over a period of three months and the final number of prisoners affected could be greater or less than 3,500. He also noted that an additional unspecified number of individuals would have their sentences shortened, would be released from pre-trial detention, or would have their charges against them simply dismissed. Rakhimov explained that each prison director will now decide which of their inmates would qualify for amnesty and then forward their names to the Deputy Prosecutor of their province for final review. He added that four provinces (Bukhara, Navoi, Kashkadarya, and Tashkent region) have specially assigned prosecutors who will review the cases in those provinces.

15. (C) Rakhimov also said that the "banned organizations" mentioned in the Uzmtronom article did not refer to religious extremist organizations like Hizb ut-Tahrir, but rather to individuals who were sentenced under criminal code statute 159 (anti-constitutional activities) or 244 (forming a criminal or armed group).

16. (C) Comment: Several political prisoners, including human rights activists, have been convicted under statute 159, so it appears that they may be eligible for this year's amnesty. However, as mentioned above, prison directors have often accused political prisoners of breaking internal prison regulations, thus disqualifying them for amnesty. End comment.

STATISTICS ON 2006 AMNESTY

17. (C) Under the last annual amnesty announced in November 2006, Rakhimov said that 3,661 persons were released from prison, including 26 minors and 72 persons being held in pre-trial detention, and another 9,492 individuals had their prison terms reduced.

COMMENT

18. (C) As the amnesty is carried out over a period of months, it is too early to tell whether the GOU is planning to release any political prisoners. Though Rakhimov portrayed the decision to amnesty prisoners as fully in the hands of local prison directors and provincial-level prosecutors, we suspect that any decision to release political prisoners is made at much higher levels. Over the next few months, we will continue to emphasize to the GOU that the release of a significant number of political prisoners would be taken as a strong signal that the Government is serious about engaging more fully on human rights.

NORLAND